

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK**

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**In Re:**

**MEYER SADIGURSKY AND  
SIMONA SADIGURSKY,**

**Debtors**

**In Proceedings Under Chapter 11**

**Case No. 1-15-10034-MJK**

**Hon. Michael J. Kaplan**

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**ORDER CONFIRMING CHAPTER 11 PLAN OF REORGANIZATION**

The debtors, Meyer Sadigursky and Simona Sadigursky (the "Debtors"), having filed their Amended Disclosure Statement ("DS") and Amended Plan of Reorganization on July 11, 2019 (the "Plan"); and on July 12, 2019, the Court having entered its Order approving the DS and scheduling a hearing on confirmation of the Plan on August 21, 2019; and matter having come on to be heard before the Court for a confirmation hearing on August 21, 2019; and Arthur G. Baumeister, Jr., Esq. having appeared on behalf of the Debtors in support of confirmation of the Plan and Joseph W. Allen, Esq. having appeared on behalf of the United States Trustee; and there being no objection to confirmation of the Plan; and the Court having heard the proffer made by counsel for the Debtors in the presence of the Debtors and Joseph W. Allen, Esq. having examined Simona Sadigursky; and the Court having accepted the proffer made by counsel for the Debtor; and due deliberation having been had thereon; and the Court on August 21, 2019 having confirmed the Plan;

**NOW THEREFORE, THE COURT HEREBY CONCLUDES AND FINDS  
THAT:**

The Bankruptcy Court has jurisdiction over this matter pursuant to 28 U.S.C. §§157

and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2). The Debtors were and are qualified to be debtors under Section 109 of the Bankruptcy Code. Venue of the reorganization case in the U.S. Bankruptcy Court for the Western District of New York was proper as of the filing date and continues to be proper, pursuant to 28 U.S.C. § 1408. Notice of the confirmation hearing and the opportunity of any party in interest to object to confirmation was adequate and appropriate, and in compliance with order of this Court. The Debtors, as proponents of the Plan, have complied with all applicable provisions of the Bankruptcy Code. The Plan complies with all applicable provisions of Chapter 11 of the Bankruptcy Code, and all applicable requirements for confirmation set forth in Section 1129 of the Bankruptcy Code have been satisfied.

**NOW THEREFORE** it is

**ORDERED** that the Plan filed by the Debtors on July 11, 2019 be, and hereby is, confirmed, and it is further

**ORDERED** that any and all objections to confirmation of the Plan are overruled in their entirety, and it is further

**ORDERED** that this Order of Confirmation and the Plan shall be binding upon the Debtor, any entity entitled to distribution under the Plan and any holder of a Claim against the Debtor, whether or not the Claim is impaired under the Plan and whether or not such holder of a Claim or Interest has accepted the Plan, and it is further

**ORDERED** that the effective date of the Plan will be the date that this Order of Confirmation becomes final and no longer appealable (the "Effective Date"), and it is further

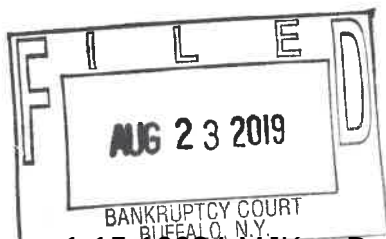
**ORDERED** that as of the Effective Date, the Debtors shall be re-vested with all assets and the Debtors may operate and use such assets free of any restrictions imposed by the Bankruptcy Code except as may be specifically set forth in the Plan and in all respects as if there were no pending Chapter 11 case, and it is further

**ORDERED** that the Debtors shall, within ninety (90) days after the entry of this Order of Confirmation; (1) file a report of substantial consummation and final report; or (2) take appropriate action to amend the Plan. Failure to comply with these requirements may result in conversion of the case, and it is further

**ORDERED** that all quarterly fees payable to the United States Trustee pursuant to 28 U.S.C. Section 1930 shall be paid within ten (10) days of the entry of this Order of Confirmation and that any and all such post-confirmation quarterly fees payable to the United States Trustee shall be paid as they become due, and the Debtors shall continue filing monthly operating reports until such time as the case is closed, and it is further

**ORDERED**, that the provisions of the Plan and this Order of Confirmation shall be construed in a manner consistent with each other so as to effect the purpose of each; provided, however, that if there is determined to be any inconsistency between any Plan provision and any provision of this Order of Confirmation that cannot be reconciled, then, solely to the extent of such inconsistency, the provisions of this Order of Confirmation shall govern.

Dated: August <sup>23</sup>, 2019  
Buffalo, New York



  
HON. MICHAEL J. KAPLAN  
United States Bankruptcy Court Judge